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SUMMARY RECORD OF THE 485th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 25 September 1998, at 10 a.m.

Chairperson: Miss MASON

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION (continued)

Periodic reports of States parties due in 1997: report of Bolivia

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION (continued)

Periodic reports of States parties due in 1997: report of Bolivia (CRC/C/65/Add.1; CRC/C/Q/BOL/2; written replies of the Government of Bolivia to the questions raised on the list of issues)

1. At the invitation of the Chairperson, Ms. Avila Seifert, Mr. Montaño Pardo and Mr. Loayza Barea (Bolivia) took places at the Committee table.

2. Ms. AVILA SEIFERT (Bolivia) expressed her Government's appreciation of the work done by the Committee on behalf of children and took pleasure in introducing the members of the Bolivian Delegation, Dr. Montaño Pardo, Vice-Minister for Human Rights, Ministry of Justice and Human Rights, and Mr. Loayza Barea, Minister, Member of the Permanent Mission of Bolivia to the United Nations at Geneva.

3. Mr. MONTAÑO PARDO (Bolivia) gave the Committee a brief overview of the economic situation of Bolivia in 1997. Among the basic economic indicators, the rates of economic growth and inflation had shown a slight improvement, but the public sector deficit had grown to 3.4 per cent, while external debt servicing continued to absorb 20 per cent of the national income. Nevertheless an important social advance had been made in 1997 with the establishment of the Vice-Ministry of Human Rights as part of the Ministry of Justice and Human Rights. The Vice-Ministry was currently working within the framework of the Ten-Year Plan of Action for Women and Children to improve the situation of children, adolescents and young persons in Bolivia.

4. A number of new policies had been introduced since the initial report. Under the Educational Reform Act, an effort was being made to change the educational system completely, with a view to developing the personality of the child through the various stages of life leading to a healthy and productive adulthood. Unfortunately, the new policy was meeting with a negative reaction from teachers. A further advance was the Popular Participation Act, already mentioned in the initial report, which had decentralized the administration of the country to the level of its 311 municipalities, making those bodies responsible in their jurisdictions for education, health, sport, local roads, irrigation, etc. A series of organizations had been established giving the municipal authorities local control over education in their areas, in particular in the State-run schools, through committees on which parents and communities were represented.

5. Like many other developing countries, Bolivia was also undergoing a process of privatization. Some $1.6 billion was expected to be generated from the sale of shares in certain State undertakings. The money was to be used for such social programmes as a Housing Fund and cash allowances for persons over 65. A system of National Mother and Child Insurance had also been established, again managed by the municipalities, whereby expectant mothers, mothers and children could receive free treatment in State-run clinics.

6. Since 1997, a new Plan of general economic and social development had been in place, based on the four pillars of opportunity, equity, institutions and human dignity. Under the heading of equity, the Plan was directly involved in the fight against poverty and thus directly concerned with the situation of children. The aim of the Plan was to reduce poverty and improve living conditions, in respect of health, housing, education and basic services, by instituting equal opportunity at the various stages of life. It was to be combined with the development of the indigenous population, always a major national concern. He noted that Bolivia, like many other developing countries, was a signatory to ILO Convention 169. He stressed that point because, in the rural areas in particular, children and young people were in a precarious situation, their future being subjected to various limitations.

7. Under the earlier system, a whole series of organizations had been involved in dealing with children and poverty, making it difficult to combine efforts for a speedy resolution of the problems. Those bodies had been reduced to a single agency, under the Vice-Ministry for Gender, Generational Affairs and the Family, which in turn came under the Ministry of Sustainable Development and Planning. There was thus only one institution at the national level concerned with everything to do with children: the General Directorate of Generational Affairs.

8. The Government's policies to combat discrimination against children, adolescents and young people were based on the principle of equity for the various age groups. All groups deserved equal opportunity in the form of improved access to health, education, culture, sport and housing. Childhood should be regarded as a formative rather than merely transitional stage, one that would shape the life of the adult. Children should be treated not as helpless beings demanding assistance but social subjects with potentialities that needed to be developed. Children should have citizenship independently of age, in the sense of possessing both rights and responsibilities. Bolivia's policies of care and assistance were based on the idea of sustainable development, whereby the individual was both the subject and the agent of development. Social services were regarded as instruments of social policy and used to fight inequality, marginalization and discrimination, particular attention being paid to satisfying the needs of groups at special risk and the most disadvantaged. They should also help to identify the causes generating those special needs and deal with them through public policy.

9. His brief introduction had sought to make the Committee aware of the way in which his Government was working ever harder, within its restricted means, to improve the situation of children in Bolivia. He regretted that it had not been possible to provide the written answers to the list of issues at an earlier date, but he was ready to go over the replies with the Committee and provide any further information that was requested.

10. The CHAIRPERSON said that the Committee had only two meetings at its disposal to go through the various sections of the general guidelines. It would be useful, therefore, in order to allow for interaction between the Committee and the delegation, if a condensed version could be given of the response to each area of the list of issues, to be followed by questions from the members of the Committee.

11. Mr. MONTAÑO PARDO (Bolivia) said, in response to the first question, that new legislation had been adopted in regard to women and family violence and to deprivation of freedom in the case of young persons. The Act on Family Violence covered the situation of women subjected to ill-treatment within the family. Previously, the law had not allowed criminal charges of maltreatment to be brought against husbands or domestic partners. Women could now approach the authorities with claims of ill-treatment and perpetrators prosecuted and found guilty could be sentenced to prison. A new law on sexual harassment was also under consideration in draft form. Under the new arrangements regarding the detention or imprisonment of young people, persons between 16 and 21 who were charged with minor offences would automatically enjoy provisional release and could apply for legal assistance to defend themselves. A new Code of Penal Procedure would shortly be adopted, instituting a jury system. Under the new Code, certain offences, such as rape and kidnapping, once regarded as private offences, would now come under the Public Prosecutor, who would be able to bring charges directly, even without a complaint from the victim.

12. The CHAIRPERSON said that it would take too long to go through the list of issues question by question. She therefore invited Committee members to put their questions on any areas in which they were specially interested.

13. Mrs. SARDENBERG thanked the delegation for its introduction to Bolivia's second report. It was particularly gratifying for the Committee to receive such a high-level delegation, which could not only give a clearer picture of the real situation but also bore witness to the Government's commitment to the purposes of the Convention. Bolivia was the first signatory State to present a periodic report, thus beginning an important new stage in the work of the Committee. She was proud to welcome a country from Latin America as the first to start the process of evaluating the progress made in implementing the Convention. The voluminous written replies showed the effort made by the Government, but she regretted that the document had arrived so late.

14. The report itself was commendably frank and informative. It gave a full and up-to-date account of the political changes that had taken place. She would, however, welcome a somewhat deeper analysis of the impact of all the new laws affecting the situation of children that it referred to. She would also like more information on the dissemination of the Convention, the national reports and the Committee's concluding observations. She would be glad to hear the Government's future plans for the dissemination of the Convention and the reports for use as documents in the national debate. She would also like to know what effort had been made to translate the Convention into the various indigenous languages. Overall, the report bore witness to the achievement of considerable progress in a number of areas, and to the Government's continuing commitment to the rights of the child.

15. Mrs. MBOI commended the delegation's introduction of the report as well as the report itself for its frank and critical assessment of the Government's achievements and shortcomings. She realized that the Government had made a great effort to implement the Ten-Year Plan of Action for Women and Children, introduced in 1992. More information was needed, however, regarding the status of the Convention with respect to domestic legislation. The same complaint had been voiced about the initial report. It would appear that much progress had been made in legislation of benefit to children. However, she

would like to know the status of the proposed Children and Adolescents Code, submitted to Parliament in 1997 as a replacement for the Juvenile Code. She would also like more information on the proposed local Ombudsman's offices. What exactly was the mechanism for monitoring the implementation of the Convention at the local level?

16. Mrs. KARP thanked the delegation for its introduction and its eloquent interpretation of the message of the Convention that children were participators, having capacities that needed to be developed. Proof of the proposition, however, lay in the actual life of the children. It was important to know, therefore, what was actually being done to implement the Convention. Why, for example, had the amended Juvenile Code not yet been adopted? She noted that the Committee had already recommended, after discussing the initial report, the harmonization of domestic legislation with the Convention. Was the idea of lowering the minimum working age for children, taking into consideration the real situation in the country, regarded as one of the reforms to the Juvenile Code and was it perceived as being in the best interests of the child? Did the proposed reforms include legislation that would not only oblige the court to hear the views of the child but also to take them into consideration? She would be glad of a concrete description of the specific reforms that it was intended to make.

17. With regard to information on the change of attitude in respect of domestic violence, she stressed the importance of taking a holistic view, covering not only violence against the spouse but maltreatment of and violence against children, including sexual abuse. In that connection, she would like to know the results of the special body established to look into the ill-treatment of children in the family, the National Committee Against the Maltreatment of Children, and whether any programmes had been set up for their rehabilitation. It was clear from the report and from other information available to the Committee that abuse of children, including sexual abuse, was very prevalent. Was there also a plan, therefore, to reform the law that currently sanctioned corporal punishment of children by parents or relatives? In future, would corporal punishment be prohibited in schools, institutions and the home? In addition to campaigns to change the public attitude to domestic violence, it would be necessary to train police, judges and other professionals in going beyond the idea of family privacy in order to prevent the abuse of wives and children. Police and judges would also need training in order to be able to encourage children to complain about ill-treatment or sex abuse and to give evidence in a way that was not harmful to them. A new procedure was needed for police interrogation and the giving of evidence by children, involving a multidisciplinary approach in which social workers, probation officers, police and prosecutors would combine in so waging war against domestic violence that not only would the culprits be brought to trial but the victims would be rehabilitated and taken care of. She would be glad to learn of any plans to that end.

18. Mr. KOLOSOV asked if the second periodic report of Bolivia had been drawn up in accordance with the Committee's guidelines and, if so, how helpful they had been.

19. Ms. PALME asked what problems had prevented more extensive publicizing of the Convention; the Parliament's attention appeared to have concentrated on the survival, protection and development of children.

20. Mr. RABAH asked whether the Bolivian Government had withdrawn its reservations to the Convention on the Rights of the Child and, if not, what were the reasons. Did any contradictions arise between domestic legislation and the general principles of the Convention? Did any form of coordination exist between the Ministry of Justice and other ministries with NGOs?

21. Mrs. QUEDRAOGO asked what steps had been taken towards ratifying the Convention against Torture. She requested further information on the nature of the new responsibilities allotted to the municipalities in defending children and adolescents. Did the plan for reforms include measures regarding data collection, which was important for purposes of identifying priorities, evaluating current projects and ensuring follow-up? She asked whether the economic growth achieved during the course of 1997, following the rescheduling of Bolivia's foreign debt, had resulted in any increase in the budget allocated to children's programmes. Pursuant to the Committee's recommendation following Bolivia's initial report, to the effect that the Convention should be more widely publicized, she asked how the instrument was currently perceived by the general public.

22. Mr. MONTAÑO PARDO (Bolivia), replying to Mrs. Sardenberg's remarks, said that the impact of the neo-liberal system introduced in 1985 had exacerbated poverty, particularly in rural areas, with a consequent impact on children that was reflected in a rising mortality rate and a declining educational level. The Ministry of Justice was publishing information pamphlets on such subjects as human rights, the Constitution and other matters of general interest, particularly in rural areas, all couched in simple language. Once the new Children and Adolescents Code had entered the statute book, a similar publication would be produced to bring the Code to the attention of the public. Familiarity with the Convention tended to be confined to professionals working in areas involving children, a situation which had to be remedied, since people could not exercise rights when they were unaware of their existence. Such information material had not been translated into the Quechua, Amara and Guarani indigenous languages, which were spoken predominantly in rural areas, where children's rights tended to be most extensively violated. The rate of illiteracy was very high in those areas, however, with the result that other means would need to be found to publicize the Convention and other information regarding rights.

23. Although the progress achieved over the past 10 years might have fallen short of expectations, many shortcomings would be remedied by the new Children and Adolescents Code, which was fully consistent with the principles of the Convention.

24. Bolivia's first Ombudsman had recently been elected, a reputed female journalist, whose initial brief would be to investigate the situation of indigenous children and gender issues. Under new legislation, considerable responsibility for children had been devolved to the municipal level, with an attendant increase in public funding. That decentralized approach had become

a model for other Latin American countries on account of the advances thereby achieved in the areas of health, education, sport, irrigation and electricity supply.

25. Regarding Mrs. Karp's questions, the passage into law of the draft Children and Adolescents Code had been delayed by the popular consultation process, but was expected to enter the statute book in October. Although the General Labour Act prohibited children under 14 from working, it was not uncommon in rural areas for children as young as 9 to work, since they were considered to be a factor of production and were frequently put to work in agriculture and even in mines. Night schools operated for those who were prevented from attending during normal school hours. Within the educational system, children could put forward their views during meetings for that purpose and, under the new Code, a child always had to be consulted before any decision could be taken regarding adoption. Children were covered only indirectly by the new legislation to protect women from violence, insofar as they might therefore be less likely to witness scenes of domestic violence. Corporal punishment was banned in schools, and any form of physical aggression was explicitly prohibited under the educational reform. Attitudes certainly had to be changed, for instance among members of the police, and would call for a broad-ranging raising of awareness among parents, teachers, public officials and the general public.

26. In response to Mrs. Mokhuane's comments, he explained that activities relating to gender and generation issues were dealt with by the General Directorate of Generational Affairs within the Ministry of Sustainable Development and Planning, which was also responsible for coordination between ministries and with NGOs and other bodies. In Bolivia, some 200 NGOs were active in areas directly affecting children, including education, health and human rights; they worked very closely with ministries and municipalities to achieve very positive results.

27. It was true that in Bolivia parents still exercised strict control over children, an attitude most marked among the illiterate population. His Government was endeavouring, with some measure of success, to change that attitude, notably through education programmes - which had already cut infant mortality rates - so that the child would be considered a subject rather than an object.

28. Knowledge of the Convention was admittedly not very widespread. The Government would pursue its efforts to familiarize the general public - and not only the pertinent authorities - with its provisions. Responding to Mr. Kolosov, he explained that Bolivia's second report had been prepared on the basis of various inputs: the Committee's valuable recommendations following the presentation of the initial report, and contributions from experts, including some who had prepared the initial report; teams from several ministries; and, more importantly, his own Ministry. Regrettably, more statistics had not been available.

29. Although 14 was the minimum working age established by law, in practice children still worked from the age of eight or nine, the average family - especially in remote areas - requiring children to contribute to production at

an early age: in a five-member family, 2.6 needed to work (essentially in family groups) merely to exist at subsistence level. The law did, however, prohibit children from engaging in work that might harm their health, hinder their development or deny them access to education.

30. Responding to Mr. Rabah, he said that Bolivia had no reservations concerning the Convention. The new Code adopted the holistic view of a current child and future adult, encompassing such concepts as the replacement family, new to Bolivian legislation; guardianship and adoption; abandonment; defence and legal protection of the child; and the role played by the Department of Public Prosecutions, lawyers and prosecutors. Coordination did exist between the ministries and the NGOs, and between the latter and the town councils, which would play a more proactive role in the defence of children at the important local level.

31. Replying to Mrs. Ouedraogo, he said that it had recently been decided to ratify the Convention against Torture, which Bolivia had long since signed. As to the defence of children's rights, the urban and rural local councils had made themselves promoters of health, education and care, especially for children. They worked with doctors, lawyers, psychologists and other specialists, who served as a liaison between the authorities and the family. Having direct contact with local communities, they were well placed to monitor respect for rights in the home and classroom. By the same token, they could inform parents about the availability and operation of health, educational and other facilities.

32. Unlike the developed countries, Bolivia lacked generalized access to statistics. However, figures on nutrition, rural exodus and the educational level of mothers, for instance, had been reproduced in the report. Although economic growth accelerated development in many areas, not all had benefited from the Government's initiatives since 1995. The democracy prevailing in Bolivia since 1982 had given its efforts continuity. Projects worth US$ 20 million, with almost half a million beneficiaries, had been implemented, mainly in the areas of education and health infrastructure, equipment and basic services. Of those, 98 per cent had been delivered by the municipalities, at a rate of one social investment project every two days during the exercise. There were currently 88 formal and 10 non-formal education projects in progress, which would benefit some 700,000 children at a cost of approximately US$ 14.5 million. Although all social problems had not been remedied, the Government was doing its utmost to ensure that the population, especially children, enjoyed all social benefits.

33. While the report had been widely publicized among the various authorities, it had regrettably not received the wide dissemination it deserved. He would alert the Government to the importance of disseminating such report to the general public.

34. The CHAIRPERSON, pursuant to the Committee's practice in recent years, recommended that the Government hold a press conference, on the delegation's return to Bolivia, to publicize the discussions in the Committee. That should be followed by a parliamentary discussion based on the country's initial and

second reports, the summary records of the current session and, most importantly, the recommendations contained in the Committee's concluding observations.

35. She invited Committee members to ask follow-up questions and proceed to their questions on general principles, civil rights and freedoms, and family environment and alternative care. The definition of the child would be omitted, because following the submission of Bolivia's initial report in 1993, the Committee had expressed concern about the legal definition of the child contained in the Juvenile Code, which did not comply with the provisions of the Convention on the Rights of the Child. No change, however, had ensued. Indeed, instead of raising the minimum age of 14 at which a child could work, lowering it to 12 had been suggested in the reform undertaken in connection with the Children and Adolescents Code.

36. Despite the delegation's reassurance that working children were able to attend school, paragraphs 304 to 306 of the report mentioned numerous difficulties in that regard, which she urged the Government to address.

37. Mr. MONTAÑO PARDO (Bolivia) welcomed the Chairperson's suggestion of holding a press conference to promulgate the Committee's recommendations, and said that it had been his delegation's intention also to report immediately on their return to Bolivia on the Committee's deliberations.

38. Mrs. SARDENBERG considered that a press conference would not only publicize the Committee's discussions, but also enhance the political visibility of work on behalf of children, and of the Under-Secretariat itself, and impress upon Parliament the urgency that the Committee assigned to approval of the new Code.

39. She fully supported the Chairperson's comments with regard to Bolivia's definition of the child, and especially to the working child, which caused her great concern, and was germane to Parliament's adoption of the Code. She supposed that the delegation was aware of the international campaign for the elimination of child labour and of the convention being prepared by the International Labour Organization, and wondered whether Bolivia was associated with the International Programme on the Elimination of Child Labour (IPEC). Obligatory night schools could only be an emergency measure and not the solution for working children. Other possibilities included the award of scholarships to children from needy families to enable them to remain in school instead of being used to augment the family income.

40. As to general measures of implementation, it was important that the Code be finalized, since the existence of concrete legislation in conformity with the provisions of the Convention would clearly improve the situation. Regarding the translation of the Convention, although the indigenous languages had no alphabet, some other effective method of dissemination could be found, since it was precisely in the poorest areas that most violations occurred. She welcomed the decentralization initiative, in the belief that the communities should be more involved, because human rights and democracy went hand in hand.

41. She welcomed the fact that the Ten-Year Plan of Action for Women and Children assigned priority to health and education and that Bolivia was shortly to ratify the Convention against Torture. She looked forward to its ratification of the Hague Convention.

42. On the subject of international cooperation, she wished to know the estimated date for the signing of the technical cooperation agreement being negotiated with the Office of the United Nations Commissioner for Human Rights in support of the plan of action for human rights. It was most important because the intention was to incorporate the final conclusions of the treaty bodies in that work, which was vital to many aspects of the Convention on the Rights of the Child.

43. She sought clarification of the situation in the militarized and coca-growing Chaparé region, in which children had been gravely affected by drugs, violence and terror. Despite the Government's programme for improving living conditions there, she wondered what immediate plans it had for dealing with the problem, which was a transnational one addressed by other United Nations bodies.

44. Mrs. KARP said that while it was important that the Code be passed by Parliament, it was essential to ensure that its contents reflected the provisions of the Convention. She had been dismayed that the delegation's enumeration of the themes of the Code had omitted mention of the Convention's principles per se, and hoped that a specific chapter would be devoted to them. In view of the new decentralization, it was crucial that the Convention, as an instrument for enhancing children's rights, be disseminated at all levels.

45. While sharing the eagerness with which other members had welcomed decentralized implementation, which put the emphasis where it belonged, namely at the grass-roots level, she detected two problems. The first concerned non-discrimination. How would the quality of services and the degree of implementation be monitored to ensure equality and avoid disparities among municipalities with different budgets and geographical location? Secondly, implementation by NGOs was very positive for a democracy, but might they not be incapable of applying a rights-based approach or lack experience in methods for implementing some concepts contained in the Convention?

46. It was commendable that Bolivia had an Under-Secretariat for Human Rights, but that department's first task in creating a culture of rights was to ensure that they were propagated, not only through the normal avenues, but by training parents, professionals, teachers and others.

47. She urged the Government to define a plan of action and a concrete strategy for public information and involvement in discussions on the Convention and on human rights in general and for training professionals. Human rights education and education on the Convention on the Rights of the Child should be compulsory in schools and teacher-training establishments, and in NGO training. It would be unwise to assume that NGOs automatically took the holistic view of or rights-based approach to the Convention that was crucial to democracy.

48. Although the new Juvenile Code made a number of stipulations in various areas with respect to age, it failed to set an age of sexual consent. Protection against sexual exploitation could only be afforded to children too young to realize what consent implied by fixing a minimum age below which any sexual relationship was prohibited. Early marriage was another area of concern in relation to child abuse and the right of the child to life, survival and development, not only with respect to those married too young but to their children as well. Since the minimum age of marriage for girls in Bolivia was 14, she urged the authorities to reconsider the issue.

49. With regard to the child's right to freedom of expression, thought and association, she asked whether there were any strategies in place to encourage children to participate in the life of society at large and to enable their views to be heard in public forums, not merely at the personal level. For example, the new Juvenile Code, although it did refer to the child's right to be heard by the courts, made no mention of the same right with respect to the administrative authorities. Mechanisms to allow children to be heard by schools and other institutions were also essential, as were mechanisms to allow them to lodge complaints, including complaints about parents. Did the new Juvenile Code provide such mechanisms? Did the Ombudsman's role include receiving and dealing with complaints from children?

50. Mrs. MBOI, on the subject of civil rights and freedoms, said she appreciated the frank admission in paragraph 183 of the report that children born out of wedlock suffered discrimination because they could have only one family name, the mother's, instead of those of both parents. She asked whether any legal measures were in view to remedy the problem, what services were available to such children and their families and what efforts were being made to educate the general public on the matter.

51. With regard to family environment and alternative care, the report had described the legal measures available to protect children against abuse, most of which took place in the home. She wondered whether there were any legal measures or public policies concerned with the rehabilitation of abused children and asked what services were available for the care and rehabilitation of abused children or for counselling child abusers in the interests of preventing further abuse.

52. In paragraph 10 of its concluding observations on the initial report of Bolivia, the Committee had expressed concern at the low level of qualified supervision of births. Had there been any subsequent improvement in that statistic? Furthermore, the report stated that despite some progress infant mortality continued to be a major problem and noted that breastfeeding rates were low, which could be a contributory factor. What were the main factors that deterred mothers from breastfeeding? Was any action being taken to promote the practice?

53. The report had mentioned the persistence of a number of diseases that were major killers of children under five. She asked whether Bolivia had considered seeking technical assistance from WHO and UNICEF in order to introduce their Integrated Management of Childhood Illness (IMCI) approach, which appeared to be ideally suited to Bolivia's decentralized administrative system.

54. In 1997, the Human Rights Committee had expressed its concern over the very high level of maternal mortality in Bolivia, much of it attributable to legal abortions. She asked for an explanation of that puzzling occurrence, since the availability of legal abortion generally ensured the safety of the procedure and reduced maternal mortality.

55. Mrs. OUEDRAOGO, on the issue of general principles, asked what effect implementation of the 1994 Popular Participation Act had had, especially with respect to equal distribution per inhabitant of the joint resources of the departments and the impact on children in general. While welcoming the measures in place to control discrimination, she wondered what penalties were provided to deter dissemination of racist ideas, promotion of racial hatred or incitement to violence against individuals on grounds of race. In the context of the measures Bolivia was taking to overcome its tradition of discrimination against women, she asked whether the Plan of Action for Women and Children envisaged any attempt to change attitudes in that respect, especially in rural areas, which were generally resistant to such change. Furthermore, it was important to strengthen means of implementing the Convention in order to enable children today, who would be the adults of tomorrow, to grow up accepting non-discrimination as a matter of course. Discrimination on grounds of social status also appeared to be common in Bolivia. Since such discrimination violated a number of children's rights, especially in the case of the most deprived children, she asked whether anything was being done to overcome it.

56. Mr. KOLOSOV, referring to the length of the report, said that the Committee really required something more concise and simplified. It would be sufficient in preparing the third report to give a description of the facts and figures pertaining to the period between that report and the previous one, detailing what action had been taken and indicating where action had not been taken and why. The Committee's consideration of the second report should also proceed from that standpoint.

57. Determination of the age of sexual consent was more properly a matter for the Criminal Code rather than the Juvenile Code, since making the establishment of a sexual relation with a child, even with that child's consent, punishable as a crime was a necessary preventive measure.

58. Bolivia appeared to have some difficulty in collecting and processing statistical data. Had any technical assistance in the matter been sought from international organizations with expertise in the field?

59. Mr. RABAH, on the issue of general principles, asked how the best interests of the child and respect for the views of the child (articles 3 and 12 of the Convention) were reflected in the law and inquired whether there were any examples of how those principles had been put into practice by administrative bodies or the courts. With regard to civil rights and freedoms, he sought more information on how children participated in the decision-making process in schools and in everyday life. In view of the current prevalence of violence and pornography in the media, including the Internet, he wondered what the thinking of the Bolivian Government was on the matter and whether any measures were being taken to protect children in that respect.

60. Mrs. KARP asked whether there was any move to abolish the provision permitting parents to use corporal punishment. Although corporal punishment in schools was prohibited, information in her possession indicated it to be very prevalent. What measures were in view to eliminate corporal punishment in schools. Was there any express prohibition of corporal punishment in welfare institutions or in institutions for children in conflict with the law? Were any programmes in place to raise awareness of alternative measures, so that corporal punishment might be eliminated and not serve as a first step to abuse and maltreatment?

61. Mrs. MOKHUANE, noting that in rural areas there was a tendency for parents to register the birth of boys but not girls, asked what provision was made to monitor observance of article 7 of the Convention in order to prevent discrimination against girls and guarantee their civil rights. She asked what measures existed to protect and maintain the identity of indigenous children under article 8 of the Convention, given the fact that it was a frequent practice of registry offices to substitute Spanish names for the indigenous names of children.

62. Ms. PALME said that despite the fact that the world's attention had been focused on child labour during the current year and that the ILO was currently preparing a convention on extreme forms of child labour, Bolivia appeared to be considering lowering the minimum age for employment. Since education was very important in helping people to improve their situation, she considered it unacceptable for children to work during the day and receive schooling in the evening. Furthermore, many children appeared to be at work in Bolivia. She urged the Government to consider ratifying ILO Convention No. 138, the Minimum Age Convention.

63. The failure to register female children in some areas made ascertaining their ages uncertain and could cause difficulty in dealing with early marriage. She shared Mrs. Mboi's concern about unsafe abortions. Although education in reproductive health was a relatively new concept in Bolivia, it was important in ensuring the survival of young girls. Furthermore, expecting young mothers to work could lead them to stop breastfeeding and thus contribute to higher infant mortality. Since Bolivia had the highest infant mortality in Latin America, she urged the Government to give some thought to those matters.

64. The CHAIRPERSON said that in its concluding observations the Committee had indicated a number of areas of concern in relation to implementation of the Convention in Bolivia. However, it would appear from the second report that those concerns had been disregarded and that a proposal to include the best interests of the child in amendments to be made to the Constitution had not been taken up. Furthermore, it was stated in paragraph 170 of the report that children and adolescents were not among the policy priorities of central or local government. Perhaps it was time for Bolivia to consider once more the commitments and principles embodied in the Convention. Despite the existence of legislation providing for equal treatment of men and women, most girls and young women, especially those living in poverty, were still held back by traditional social and cultural patterns that blighted both their present and their future. She asked for more information on the apparent resistance to the regulations currently in place for the readmission to school

of girls expelled because of pregnancy. What financial support was afforded such young mothers and what care was provided for their children while the mothers were at school?

65. Mrs. KARP said that the juvenile justice system did not appear to provide any protection for children deprived of liberty, nor did there seem to be any independent monitoring system to ensure that the rights of such children were observed. Few alternatives to imprisonment appeared to exist. She asked whether Bolivia had considered the possibility of seeking technical assistance on that subject from bodies with expertise in the juvenile justice field. Furthermore, had any of the provisions of other international instruments relevant to the juvenile justice system been included in the Juvenile Code in the same way as the provisions of the Convention?

66. Mr. KOLOSOV asked the delegation if, when it came to respond to the Committee's questions, it could briefly review the Committee's concluding observations and recommendations, explaining what action had been taken in that respect and where no action had been taken, explain why.

67. Ms. PALME asked whether, in view of the fact that it had sent a delegation to the Stockholm Conference, Bolivia had finalized a comprehensive plan of action to combat the commercial sexual exploitation of children.

68. Mrs. SARDENBERG asked what the situation was with regard to sexual abuse in families. What measures were being taken by the Government to ensure the psychological and physical rehabilitation of abused children? In relation to special measures of protection, she asked for information on the detention of children in prison with their parents. What was the current situation relating to Law No. 1008, which affected children in conflict with the law? She understood some amendments were in view.

69. Ms. PALME asked what the current situation was regarding children in institutions and prisons. What reforms were under way and what steps were being taken to reduce their numbers? She was concerned at the number of children that appeared to be in institutions, since institutionalized children had greater difficulties in establishing and stabilizing relationships.

70. Mrs. MOKHUANE asked whether there were any government programmes for the psychological rehabilitation of abused children.

The meeting rose at 1 p.m.